IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 585/2004

PARMOLI Vs. STATE OF RAJASTHAN & ORS.

DATE: 31.01.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Anurag Sharma for the petitioner.
Mr. Ashwani Kumar Sharma, PP for the State.
Mr. Harendra Singh for the accused-respondents.

****

This revision petition under Section 397 r/w Section 401 Cr.P.C. is preferred by the petitioner against the order dated 07.04.2004 passed by the Additional Sessions Judge, Gangapur City in Criminal Revision No. 17/2003, whereby the Revisional Court while allowing the revision petition, set aside the order dated 14.02.2003 passed by the Judicial Magistrate, Gangapur City in Criminal Case No. 25/2003 and remanded the matter back to the trial Court.

The main plea of the petitioner is that the petitioner being complainant has not been even heard by the Revisional Court while remanding the case back to the trial Court.

Having considered the rival submissions of the respective parties, in the interest of justice, I deem it proper to quash and set-aside the order of the

Revisional Court dated 07.04.2004 and direct the Revisional Court to hear the matter afresh after giving opportunity of being heard to the complainant and shall pass order afresh in accordance with the provisions of law.

The revision petition stands disposed of accordingly.

(K.S. RATHORE),J.

/KKC/